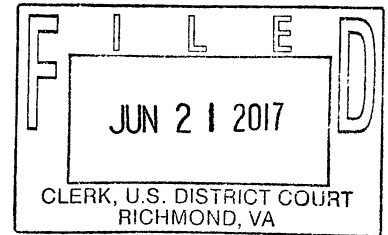


EXHIBIT 5

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



STEVES AND SONS, INC.,

Plaintiff,

v.

Civil Action No. 3:16cv545

JELD-WEN, INC.,

Defendant.

ORDER

Having considered the JOINT NOTICE REGARDING PROPOSED SCHEDULE (ECF No. 262) and the submissions made by counsel on June 14, 2017 (ECF Nos. 264 and 265), and it appearing that counsel are now in agreement upon the schedules for the trials to be held herein on January 8, 2018 and February 12, 2018, it is hereby ORDERED that the parties shall submit for the Court's review a Consent Order respecting the schedule to be followed as outlined in the JOINT NOTICE REGARDING PROPOSED SCHEDULE (ECF No. 262) and in the letters submitted by counsel respecting the agreement on the disputes that they have had respecting the schedule.

Further, having considered the position of the parties respecting the conduct for the remedy phase of the antitrust component of the first trial (in the event of a verdict in favor of the plaintiff on the antitrust claim), the parties are advised that the Court will hold the evidentiary hearing for the remedy issues immediately after the first trial. However, the parties have provided insufficient information respecting how the nature and

extent of the evidentiary hearing on the equitable and declaratory remedies and counsel are instructed to file Statements of Position on that question by July 17, 2017.

Further, there seems to be some miscommunication respecting the length of the first trial. In that regard, the parties are advised that the first trial will be conducted January 8 through 12, 2018 and January 15 through 19, 2018. Following receipt of the forthcoming Statements of Position respecting the conduct of the evidentiary hearing to be held at the end of the first trial, the Court, after consulting with counsel, will determine exactly how to conduct that hearing.

Further, counsel are reminded that immediately following the first trial, the Court has scheduled an Initial Pretrial Conference in a case that is expected to be tried on Monday, January 22, 2018 and the trial of that case is expected to take place on Monday and Tuesday, January 29 and 30, 2018. Accordingly, the evidentiary hearing for the equitable and declaratory remedies likely will occur during the period January 23 to 25, 2018. As the Court's schedule becomes clearer and more defined, minor adjustments in scheduling may be made.

It is so ORDERED.

/s/ *REP*

Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: June 21, 2017

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Richmond Division

STEVES AND SONS, INC.,

Plaintiff,

v.

JELD-WEN, INC.,

Defendant.

Civil Action No. 3:16-cv-545-REP

SCHEDULING ORDER

Pursuant to the Court's Order dated June 21, 2017 (Dkt. No. 274), plaintiff Steves and Sons, Inc. ("Steves") and defendant JELD-WEN, Inc. ("JELD-WEN") have jointly submitted this Scheduling Order for approval and entry by the Court. This Order sets forth the schedule, agreed upon by the parties, to govern the trials in this action set to commence January 8, 2017 (the "First Trial") and February 12, 2017 (the "Second Trial").

Having reviewed the proposed schedule and the parties' submissions (Dkt. Nos. 262, 264 & 265), and for good cause shown, it is hereby ORDERED that the following deadlines shall govern the further proceedings in this action:

FIRST TRIAL

First Trial	Deadline ¹
June 16, 2017	JELD-WEN to complete all production of documents and text messages required by the Court's order dated May 16, 2017 (Dkt. No. 237)

¹ References to "plaintiff" or "defendant" in this column apply to counterclaim plaintiff and counterclaim defendant as appropriate.

First Trial	Deadline¹
June 19, 2017	Steves file response to counterclaims (Answer and motion to dismiss)
June 23, 2017	JELD-WEN provide a supplemental answer to Interrogatory 12
July 10, 2017	Deadline for depositions of Kronospan, Masonite, Proteak, Siempelkamp and Finsa, noticed by JELD-WEN ²
July 10, 2017	JELD-WEN file opposition to motion to dismiss
July 10, 2017	Deadline for parties to supplement data productions
July 17, 2017	Steves file reply in support of motion to dismiss
July 17, 2017	Parties will file Statements of Position on the nature and extent of the evidentiary hearing on the equitable and declaratory remedies for Steves' claims
August 4, 2017	Close of fact discovery
August 4, 2017	Deadline for JELD-WEN expert disclosures on contract counterclaims
August 9, 2017 10:00 a.m.	Hearing on motion to dismiss
August 21, 2017	Deadline for expert supplementation for Steves' antitrust and contract claims
August 25, 2017	Deadline for Steves' expert disclosures on contract counterclaims
September 1, 2017	Deadline for JELD-WEN's rebuttal expert disclosures on contract counterclaims
September 15, 2017	Close of Expert Discovery
September 22, 2017	Motion(s) for summary judgment to be filed
October 20, 2017	Opposition(s) to motion(s) for summary judgment to be filed
November 3, 2017	Reply brief(s) in support of summary judgment to be filed

² Depositions may be taken after July 10, but in no event later than August 4, upon agreement of both parties if required by the schedule of the third party.

First Trial	Deadline ¹
November 7, 2017	Parties to meet and confer regarding stipulations
November 10, 2017	<i>Daubert</i> motions to be filed
November 10, 2017	Motions <i>in limine</i> to be filed
November 13, 2017	Parties shall exchange discovery (including deposition designations) intended for use at trial
November 13, 2017	Plaintiff's witness and exhibit lists due to be filed and set of exhibits due to opposing counsel
Week of November 16, 2017 at 10:00 AM	Hearing on motion(s) for summary judgment
November 17, 2017	Defendant's witness and exhibit lists due to be filed and set of exhibits due to opposing counsel
November 20, 2017	All parties shall serve on all counsel a list of all fairness or rebuttal designations to discovery intended for use at trial
November 29, 2017	Any objection to the introduction of any discovery designation or parts thereof shall be filed by each of the parties
November 29, 2017	Objections to exhibits shall be filed
December 1, 2017	Opposition to motions <i>in limine</i> and <i>Daubert</i> motions to be filed
December 1, 2017	Written stipulations shall be signed by each counsel and filed
December 4, 2017	Counsel shall confer to resolve objections to discovery designations and exhibits
December 4, 2017	Deadline to file conformed discovery designations
December 11, 2017	Replies in support of motions <i>in limine</i> and <i>Daubert</i> motions to be filed
December 12, 2017 10:00 a.m.	Final Pretrial Conference
December 14, 2017	Each party shall file a complete set of proposed jury instructions
December 14, 2017	Proposed <i>voir dire</i> to be filed

REI

First Trial	Deadline¹
December 21, 2017	Objections to jury instructions to be filed
December 21, 2017	Objections to <i>voir dire</i> to be filed
January 4, 2018 9:30 a.m.	Jury Selection
January 5, 2018	Plaintiff to file a set of agreed jury instructions and a separate set of disputed jury instructions
January 8, 2018	Each party shall deliver to Court on the day of trial two sets of pre-marked, indexed exhibits (one for Judge Payne; one for the witnesses)
January 8, 2018 9:30 a.m.	Trial to Commence³

SECOND TRIAL

Second Trial	Deadline⁴
June 19, 2017	Steves file response to counterclaims (Answer and motion to dismiss)
June 30, 2017	Parties to serve Initial Disclosures on trade secrets counterclaims
July 10, 2017	JELD-WEN file opposition to motion to dismiss
July 17, 2017	Steves file reply in support of motion to dismiss
August 9, 2017 10:00 a.m.	Hearing on motion to dismiss
September 8, 2017	Close of fact discovery
September 22, 2017	Deadline for JELD-WEN expert disclosures on trade secret counterclaims
October 20, 2017	Deadline for Steves' expert disclosures on trade secret counterclaims

³ An evidentiary hearing will be held regarding any equitable or declaratory remedies (if necessary) following the verdict in the first trial, during the period January 23 to 25, 2018.

⁴ References to "plaintiff" or "defendant" in this column apply to counterclaim plaintiff and counterclaim defendant as appropriate.

Second Trial	Deadline ⁴
November 3, 2017	Deadline for JELD-WEN's rebuttal expert disclosures on trade secret counterclaims
November 17, 2017	Close of Trade Secret Expert Discovery
November 29, 2017	Motion(s) for summary judgment to be filed
December 20, 2017	Opposition(s) to motion(s) for summary judgment to be filed
January 4, 2018	<i>Daubert</i> motions to be filed
January 4, 2018	Motions <i>in limine</i> to be filed
January 5, 2018	Reply brief(s) in support of summary judgment to be filed
January 8, 2018	Parties to meet and confer regarding stipulations
January 11, 2018	Parties shall exchange discovery (including deposition designations) intended for use at trial
January 12, 2018	Plaintiff's witness and exhibit lists due to be filed and set of exhibits due to opposing counsel
January 16, 2018	Defendant's witness and exhibit lists due to be filed and set of exhibits due to opposing counsel
January 17, 2018 at 10 AM	Hearing on motion(s) for summary judgment
January 18, 2018	All parties shall serve on all counsel a list of all fairness or rebuttal designations to discovery intended for use at trial
January 19, 2018	Opposition to motions <i>in limine</i> and <i>Daubert</i> motions to be filed
January 20, 2018	Objections to exhibits shall be filed
January 22, 2018	Any objection to the introduction of any discovery designation or parts thereof shall be filed by each of the parties
January 22, 2018	Written stipulations shall be signed by each counsel and filed
January 23, 2018	Counsel shall confer to resolve objections to discovery designations and exhibits

Second Trial	Deadline⁴
January 24, 2018	Replies in support of motions <i>in limine</i> and <i>Daubert</i> motions to be filed
January 26, 2018	Deadline to file conformed discovery designations
January 29, 2018	Each party shall file a complete set of proposed jury instructions
February 1, 2018 10:00 a.m.	Final Pretrial Conference
February 1, 2018	Proposed <i>voir dire</i> to be filed
February 5, 2018	Objections to jury instructions to be filed
February 5, 2018	Objections to <i>voir dire</i> to be filed
February 8, 2018 9:30 a.m.	Jury Selection
February 8, 2018	Plaintiff to file a set of agreed jury instructions and a separate set of disputed jury instructions
February 12, 2018	Each party shall deliver to Court on the day of trial two sets of pre-marked, indexed exhibits (one for Judge Payne; one for the witnesses)
February 12, 2018 9:30 a.m.	Trial to Commence

The provisions of the Initial Pretrial Order (Dkt. No. 65) and its attached Pretrial Schedule A shall govern proceedings herein unless this Order provides otherwise.

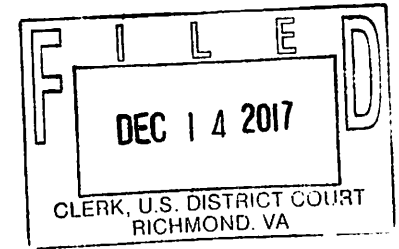
It is so ORDERED.

Richmond, Virginia

Dated: July 13, 2017

/s/ RED
Robert E. Payne
Senior United States District Judge

UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



STEVES AND SONS, INC.,

Plaintiff,

v.

JELD-WEN, INC.,

Defendant.

Civil Action No. 3:16-cv-545-REP

AMENDED SCHEDULING ORDER

Having reviewed the Parties' Joint Notice of Proposed Amended Scheduling Order (ECF No. 711), and for good cause shown, it is hereby ORDERED that the following deadlines shall govern the proceedings in this action:

Event	Previous Deadline	Revised Deadline
Deadline to file conformed discovery designations	12/4/2017	1/15/2018
Each party shall file a complete set of proposed jury instructions	12/14/2017	1/10/2018
Proposed <i>voir dire</i> to be filed	12/14/2017	1/19/2018
Final Pretrial Conference	12/15/2017 9:30 a.m.	1/16/2018 9:30 a.m. (continuing to 1/17/18 if necessary)
Objections to jury instructions to be filed	12/21/2017	1/18/2018
Objections to <i>voir dire</i> to be filed	12/21/2017	1/23/2018
Jury Selection	1/4/2018 9:30 a.m.	1/25/2018 9:30 a.m.

Plaintiff to file a set of agreed jury instructions and a separate set of disputed jury instructions	1/5/2018	1/26/2018
Each party shall to deliver to Court on the day of trial two sets of pre-marked, indexed exhibits (one for Judge Payne; one for the witnesses)	1/8/2018	1/29/2018
Trial to Commence	1/8/2018 9:30 a.m.	1/29/2018 9:30 a.m.
Evidentiary hearing regarding equitable or declaratory remedies (if needed)	1/23/2018 to 1/25/2018	2/28/2018 to 3/1/2018

It is so ORDERED.

Richmond, Virginia

Dated: December 14, 2017

/s/ R.E.P.
Robert E. Payne
Senior United States District Judge